

**Louisville Metro Council
Final Agenda**

**METRO COUNCIL SUMMARY ONLY
DETAILED MINUTES TO FOLLOW ON THE 5/28/09 COUNCIL AGENDA**

Members Roll Call:

(D) - Judy Green (1)	(D) - Barbara Shanklin (2)	(D) - Mary C. Woolridge (3)
(D) - David Tandy (4)	(D) - Cheri Bryant Hamilton (5)	(D) - George Unseld (6)
(R) - Kenneth C. Fleming (7)	(D) - Tom Owen (8)	(D) - Tina Ward-Pugh (9)
(D) - Jim King (10)	(R) - Kevin Kramer (11)	(D) - Rick Blackwell (12)
(D) - Vicki Aubrey Welch (13)	(D) - Robert Henderson (14)	(D) - Marianne Butler (15)
(R) - Kelly Downard (16)	(R) - Glen Stuckel (17)	(R) - John Ackerson (18)
(R) - Hal Heiner (19)	(R) - Stuart Benson (20)	(D) - Dan Johnson (21)
(R) - Robin Engel (22)	(R) - James Peden (23)	(D) - Madonna Flood (24)
(R) - Doug Hawkins (25)	(D) - Brent Ackerson (26)	

Meeting Date: 5/14/2009

Meeting Time: 6:00 PM

Location: 601 W. Jefferson Street
3rd Floor, City Hall
Louisville, KY 40202

President: David Tandy (4)

Pro-Tem: Dan Johnson (21)

A Quorum was established

Introduction of Page(s) - CM Downard introduces Kenzie Lorenzen. CM Engel introduces Taylor Barnett.

Guests: CW Welch welcomes Stanley Gaus. She also welcomes the Auburndale Elementary Academic Team. CW Green welcomes Foster Traditional Elementary School Basketball Team. President Tandy welcomes Tre'Tez Kinnaird, Track and Field State Champion. Glen Stuckel welcomes Boy Scout Troop 308.

Address to Council - May 14, 2009

1- [LIST OF SPEAKERS](#)

There were 10 Address to the Council

Council Minutes:

2- [Regular Council Minutes - April 23, 2009](#)

Motion to approve made by Mary C. Woolridge and seconded by Kelly Downard.

The Council Minutes were approved as written.

Committee Minutes

3- [Regular: Appropriations, NDFs and CIFs - May 7, 2009](#)

4- [Regular: Budget - May 6, 2009](#)

- 5- [Regular: Committee of the Whole - April 23, 2009](#)
- 6- [Regular: Contracts and Appointments - May 6, 2009](#)
- 7- [Regular: Health and Human Needs - May 6, 2009](#)
- 8- [Regular: Labor & Economic Development - May 7, 2009](#)
- 9- [Regular: Government Accountability and Oversight - April 22, 2009](#)
- 10- [Regular: Parks, Libraries, and Arts - May 5, 2009](#)
- 11- [Regular: Planning/Zoning, Land Design & Development - May 5, 2009](#)
- 12- [Regular: Public Safety - May 5, 2009](#)
- 13- [Regular: Transportation/Public Works - May 7, 2009](#)

Motion to approve made by Mary C. Woolridge and seconded by Cheri Bryant Hamilton.

The Committee Minutes were approved as written.

Communications from the Mayor - CALL FOR A SPECIAL MEETING:

Appointments to the following Fire Districts: Anchorage, Buechel, Camp Taylor , Dixie Suburban, Eastwood, Fairdale, Fern Creek, Harrods Creek, Highview, Jeffersontown, Lake Dreamland, Lyndon, McMahan, Middletown, Okolona, Pleasure Ridge Park, and St. Matthews.

Appointments to Air Pollution Control Board, Human Relations Advocacy, Human Relations Enforcement, and Building Codes Appeals Board.

The Mayor called for a Special Meeting of the Louisville Metro Council for Thursday, May 28, 2009 at 4:00 P.M. EST in the Metro Council Chambers of City Hall to present the Louisville Metro Government Operating and Capital Budgets for Fiscal year 2009-2010.

The Clerk read the Mayor's communications into the record. Those that require Council approval were assigned to Contracts and Appointments

Consent Calendar:

Motion to move item 29 to Old Business made by Judy Green. Without Objection item 29 was moved to Old Business.

Consent Calendar consists of items 14-28 and 30-31. The Clerk read them into the record.

- 14- [O-69-04-09 AN ORDINANCE CLOSING AN UNNAMED 5-FOOT-WIDE ALLEY FROM ITS WESTERN INTERSECTION WITH CLAY STREET APPROXIMATELY 238 FEET SOUTH OF E. MUHAMMAD ALI BOULEVARD, RUNNING WEST 108 FEET, THEN TURNING NORTH FOR APPROXIMATELY 25 FEET AND CONTAINING 650 SQUARE FEET, AND CLOSING A 60-FOOT-WIDE SECTION OF MADISON STREET FROM ITS WESTERN INTERSECTION WITH CLAY STREET, LOCATED APPROXIMATELY 518 FEET NORTH OF CHESTNUT STREET, AND RUNNING 132.5 FEET WEST, CONTAINING 0.18 ACRES, BOTH OF WHICH BEING IN LOUISVILLE METRO \(CASE NO. 10857\). \(10-16-09\) \(Ordinance No. 55, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

- 15- [O-58-04-09 AN ORDINANCE AMENDING SECTION 32.371 OF THE LOUISVILLE/JEFFERSON](#)

COUNTY METRO CODE OF ORDINANCES [LMCO] RELATING TO THE LOUISVILLE FREE PUBLIC LIBRARY MASTER PLAN (Ordinance No. 56, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Parks, Libraries & Arts
Primary Sponsor: Vicki Aubrey Welch

16-

R-68-04-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION OF A BOAT FROM LARRY B. FRANKLIN VALUED AT APPROXIMATELY \$80,000 TO BE USED EXCLUSIVELY BY THE LOUISVILLE METRO POLICE DEPARTMENT. (Resolution No. 63, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Public Safety
Primary Sponsor: David Tandy

17-

R-70-04-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A STATE GRANT FROM THE OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF \$193,030.00 THROUGH THE CRIMINAL JUSTICE COMMISSION FOR IMPROVEMENTS IN ORDER TO PROTECT AND SECURE CRITICAL INFRASTRUCTURE. (Resolution No. 64, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Public Safety
Primary Sponsor: David Tandy

18-

O-65-04-09 AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES (LMCO) CHAPTER 115 "REGULATIONS GOVERNING SPECIFIC BUSINESSES" RELATING TO VENDORS, PEDDLERS AND SOLICITORS. (Ordinance No. 57, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Public Safety
Primary Sponsor: Madonna Flood
Additional Sponsor: Glen Stuckel
James Peden

Kelly Downard
Mary C. Woolridge
Rick Blackwell
Robert Henderson
Vicki Aubrey Welch

19-

RP050609 RE-APPOINTMENT OF JEFFREY S. SULLIVAN TO THE REGIONAL AIRPORT AUTHORITY BOARD (LOUISVILLE & JEFFERSON COUNTY AIR BOARD), TERM EXPIRES ON JULY 15, 2013. (Approved)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments

20-

AP050609 APPOINTMENT OF NEIL MACDONALD TO THE ANCHORAGE FIRE PROTECTION DISTRICT BOARD, TERM EXPIRES JUNE 30, 2010. (Approved)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments

21-

AP050609 APPOINTMENT OF DONNA K. GISSEN TO THE DOWNTOWN MANAGEMENT DISTRICT, LOUISVILLE, TERM EXPIRES ON JANUARY 31, 2011. (Approved)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments

22-

[AP050609 APPOINTMENT OF SYLVESTER GUZMAN TO THE CITIZENS COMMISSION ON POLICE ACCOUNTABILITY FOR LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT. TERM EXPIRES MARCH 27, 2013. \(Approved\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments

23-

[RP050609 RE-APPOINTMENT OF MARSHALL GAZAWAY TO THE CITIZENS COMMISSION ON POLICE ACCOUNTABILITY FOR LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT. TERM EXPIRES MARCH 27, 2013. \(Approved\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments

24-

[R-66-04-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION OF WEATHERIZATION KITS FROM LOUISVILLE GAS AND ELECTRIC \(LG&E\) VALUED AT APPROXIMATELY \\$24,000.00 TO BE USED BY COMMUNITY ACTION PARTNERSHIP \(CAP\) FOR DISTRIBUTION TO CLIENTS OF THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM \(LIHEAP\). \(Resolution No. 65, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Health & Human Needs
Primary Sponsor: Mary Woolridge

25-

[O-62-04-09 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AUTHORIZING AND RATIFYING ACTIONS IN THE STRUCTURING, STAFFING, PLANNING AND PREPARATION OF ALL DOCUMENTATION, INCLUDING ONE OR MORE ESCROW AGREEMENTS, FOR THE ISSUANCE OF CERTAIN GENERAL OBLIGATION REFUNDING BONDS OF THE METRO GOVERNMENT IN ONE OR MORE SERIES; AUTHORIZING THE ISSUANCE OF SUCH BONDS TO REFINANCE ALL OR A PORTION OF CERTAIN OBLIGATIONS ORIGINALLY INCURRED BY THE CITY OF LOUISVILLE, THE COUNTY OF JEFFERSON AND THE CITY OF LOUISVILLE PUBLIC PROPERTIES CORPORATION AS FURTHER SET FORTH HEREIN; SETTING FORTH THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED AND PROVIDING FOR THE COMPETITIVE, ADVERTISED SALE THEREOF; AUTHORIZING AND RATIFYING THE PREPARATION AND DISTRIBUTION OF ONE OR MORE NOTICES OF SALE AND PRELIMINARY OFFICIAL STATEMENTS FOR THE BONDS; DEFINING AND PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE BONDS AND PROVIDING FOR THE APPLICATION OF THE PROCEEDS THEREOF; AND TAKING OTHER RELATED ACTION. \(Ordinance No. 58, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Budget
Primary Sponsor: Jim King

26-

[O-66-04-09 AN ORDINANCE AMENDING ORDINANCE NO. 111 SERIES 2008, RELATING TO THE CAPITAL BUDGET FOR FISCAL YEAR 2008-09, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY TRANSFERRING \\$52,000 OF STATE AREA DEVELOPMENT FUNDS BETWEEN CAPITAL PROJECTS IN THE METRO EMERGENCY MEDICAL SERVICES DEPARTMENT. \(Ordinance No. 59, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Budget
Primary Sponsor: David Tandy

27-

[R-59-04-09 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING AN AGREEMENT FOR RESURFACING CONNECTED TO ROADWAY WIDENING ON EASTWOOD-FISHERVILLE ROAD AND JOHNSON ROAD.](#) **(Resolution No. 66, Series 2009)**

Status: On Council Agenda - Consent Calendar
Committee: Transportation/Public Works
Primary Sponsor: Hal Heiner

28-

[R-67-04-09 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO A SUPPLEMENTAL AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING THE PROVISION OF ADDITIONAL FUNDS BY THE COMMONWEALTH FOR ROAD RESURFACING.](#) **(Resolution No. 67, Series 2009)**

Status: On Council Agenda - Consent Calendar
Committee: Transportation/Public Works
Primary Sponsor: Robert Henderson

30-

[O-61-04-09 AN ORDINANCE APPROPRIATING \\$20,000 IN TOTAL FROM THE NEIGHBORHOOD DEVELOPMENT FUNDS OF THE FOLLOWING COUNCIL DISTRICTS: \\$7,500 EACH FROM DISTRICTS 7 AND 16 AND \\$5,000 FROM DISTRICT 19, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO HISTORIC LOCUST GROVE FOR ROOF REPAIRS.](#) **(Ordinance No. 60, Series 2009)**

Status: On Council Agenda - Consent Calendar
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Kenneth C. Fleming
Kelly Downard
Hal Heiner

31-

[O-51-03-09 AN ORDINANCE APPROPRIATING \\$15,000 DISTRICT 8 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO BROOKLAWN, INCORPORATED TO FUND A PUBLIC SCHOOL LIAISON.](#) **(Ordinance No. 61, Series 2009)**

Status: On Council Agenda - Consent Calendar
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Tom Owen

Motion to Approve made by Madonna Flood and seconded by James Peden.

The Consent Calendar passed

VOTING RESULTS: For: 26; Against: 0; Abstain: 0; Absent: 0

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Haw
Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. W
George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Jon Ackerson, Brent Ackerson, Madonna Flood

Against: (None)

Abstain: (None)

Absent: (None)

Old Business:

29-

[O-60-04-09 AN ORDINANCE APPROPRIATING \\$10,000 FROM DISTRICT 1 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO LIFE INSTITUTE, INC. FOR PROGRAM EXPENSES. \(Ordinance No. 62, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Judy Green

Motion to Approve made by Mary C. Woolridge and seconded by Cheri Bryant Hamilton.

Motion to Amend by adding the following amounts made by Kelly Downard and seconded by Robin Engel.

District 16 - \$1,000, District 15 - \$2,500, District 9, \$1,000, District 3 - \$1,000, District 4 - \$5,000, District 8 - \$1,000, District 24 - \$500, District 25 - \$500, District 2 - \$250, District 12 - \$500, District 17 - \$500, District 10 - \$500, District 20 - \$500, District 13 - \$500, District 21 - \$500, District 22 - \$500, District 14 - \$500, and District 6 - \$500, making the total \$27,750.

This Ordinance as Amended on the Floor passed.

VOTING RESULTS: For: 26; Against: 0; Abstain: 0; Absent: 0

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawley, Tom Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Jon Ackerson, Brent Ackerson, Madonna Flood

Against: (None)

Abstain: (None)

Absent: (None)

32-

[O-67-04-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO R5-A MULTI-FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 9910 WESTPORT ROAD, CONTAINING A TOTAL OF 24.8 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 12051\). \(6-23-09\) \(Ordinance No. 63, Series 2009\)](#)

Status: On Council Agenda - Old Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

Motion to Approve made by Mary C. Woolridge and seconded by Marianne Butler.

This Ordinance passed.

VOTING RESULTS: For: 26; Against: 0; Abstain: 0; Absent: 0

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawley, Tom Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Jon Ackerson, Brent Ackerson, Madonna Flood

Against: (None)

Abstain: (None)

Absent: (None)

33-

[O-68-04-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 3201 DOVER AVENUE, CONTAINING A TOTAL OF 6.6 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 10790\). \(6-15-09\) \(Ordinance No. 64, Series 2009\)](#)

Status: On Council Agenda - Old Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

Motion to Approve made by Kelly Downard and seconded by Mary C. Woolridge.

This Ordinance passed.

VOTING RESULTS: For: 26; Against: 0; Abstain: 0; Absent: 0

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Jon Ackerson, Brent Ackerson, Madonna Flood
Against: (None)
Abstain: (None)
Absent: (None)

34-

[O-46-03-09 AN ORDINANCE DENYING THE REQUEST TO CHANGE CHANGING THE NAME OF BRIDGEMORE LANE, RUNNING SOUTHWESTERLY FROM ITS WESTERN INTERSECTION WITH LONG RUN ROAD, TO MEREMONT HEIGHTS WAY, SAID ROAD BEING IN LOUISVILLE METRO \(CASE NO. 11926\) \(AS AMENDED\).](#) **(Ordinance No. 65, Series 2009)**

Status: On Council Agenda - Old Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen
Additional Sponsor: Hal Heiner

Motion to Approve made by Mary C. Woolridge and seconded by Marianne Butler.

This Ordinance as Amended in Committee passed.

VOTING RESULTS: For: 25; Against: 1; Abstain: 0; Absent: 0

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Jon Ackerson, Madonna Flood
Against: Brent Ackerson
Abstain: (None)
Absent: (None)

35-

[O-59-04-09 AN ORDINANCE ENACTING A NEW SECTION OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES \[LMCO\] TO ESTABLISH AN ANONYMOUS ETHICS TIP LINE. \(AS AMENDED\)](#) **(Ordinance No. 66, Series 2009)**

Status: On Council Agenda - Old Business
Committee: Government Accountability & Oversight
Primary Sponsor: Kevin Kramer
Additional Sponsor: Tina Ward-Pugh
Sponsor: Doug Hawkins

Kenneth C. Fleming
Rick Blackwell
James Peden
Kelly Downard
Cheri Bryant Hamilton

Vicki Aubrey Welch
Mary C. Woolridge
Glen Stuckel
Hal Heiner
Jim King
Stuart Benson
Robin Engel
George Unseld
Judy Green
Brent Ackerson
David Tandy
Jon Ackerson
Barbara Shanklin
Madonna Flood
Tom Owen
Marianne Butler
Bob Henderson

Motion to Approve made by Mary C. Woolridge and seconded by James Peden.

Madonna Flood, Marianne Butler, Tom Owen and Bob Henderson requested to be added as So-Sponsors.

This Ordinance as Amended in Committee passed.

VOTING RESULTS: For: 25; Against: 0; Abstain: 0; Absent: 1

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Haw
Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. W
George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Jon Ackerson, Madonna Flood
Against: (None)
Abstain: (None)
Absent: Brent Ackerson

36-

[O-32- 02-09 AN ORDINANCE ENACTING A NEW SECTION OF CHAPTER 37 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES \[LMCO\] TO ESTABLISH LABOR STANDARDS FOR PUBLIC PROJECTS FUNDED WITH PUBLIC FUNDS OR PRIVATE ACTIVITY PROJECTS RECEIVING PUBLIC SUPPORT THROUGH TAX INCREMENT FINANCING, GENERAL OBLIGATION BONDS, DIRECT PAYMENTS, PROPERTY TAX ABATEMENTS, THE USE OF PUBLIC FUNDS, TAX SUBSIDIES, TAX CREDITS, TAX REBATES, PUBLIC/PRIVATE PARTNERSHIPS, ACCESS TO PUBLIC ASSETS OR ASSISTANCE PROVIDED BY PUBLIC AGENCIES \[AS AMENDED\] \(Ordinance No. 67, Series 2009\)](#)

Status: On Council Agenda - Old Business
Committee: Labor & Economic Development
Primary Sponsor: Jim King
Primary Sponsor: Rick Blackwell
Dan Johnson
Mary C. Woolridge
Vicki Aubrey Welch
Marianne Butler
Robert Henderson

Motion to Approve made by Mary C. Woolridge and seconded by Marianne Butler.

Motion to amend made by Jim King and seconded by Marianne Butler. There were friendly amendments proffered. Some were taken a
were not. 15 other votes were taken on this matter. Please see the complete minutes on the May 28th 2009 Metro Council Agenda.

This Ordinance as Amended in Committee and on the Floor passed.

VOTING RESULTS: For: 16; Against: 10; Abstain: 0; Absent: 0

For: Judy Green, David Tandy, Jim King, Vicki Aubrey Welch, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Robert Henderson, Mary C. Woolridge, George Unseld, Rick Blackwell, Marianne Butler, Dan Johnson, Brent Ackerson, Madonna Flood
Against: Glen Stuckel, Hal Heiner, James Peden, Jon Ackerson, Kelly Downard, Kenneth C. Fleming, Kevin Kramer, Robin Engel, Stuart
Tina Ward-Pugh
Abstain: (None)
Absent: (None)

New Business:

The Clerk read the New Business and the respective Committee assignments into the record.

- 37- [R-72-04-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL CONTRACT - TETRA TECH, INC. - \\$100,000.00.](#)
- Status:** On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Vicki Aubrey Welch
- 38- [R-73-04-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - \(LIFE ON THE WATER, INC. D/B/A CENTER FOR DIGITAL STORYTELLING - \\$15,099.00\).](#)
- Status:** On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Judy Green
- 39- [R-76-05-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - \(AMERICANA COMMUNITY CENTER, INC. - \\$21,600.00\).](#)
- Status:** On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Dan Johnson
- 40- [R -77-05-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL CONTRACT – LUCKETT & FARLEY ARCHITECTS, ENGINEERS AND CONSTRUCTION MANAGERS, INC. - \\$200,000.00.](#)
- Status:** On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Robert Henderson
- 41- [R-82-05-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – JOHN L. CARMAN & ASSOCIATES, INC., D/B/A CARMAN - \\$50,000.00.](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Robert Henderson

42-

[R-83-05-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – SABAK, WILSON & LINGO, INC. - \\$50,000.00.](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Marianne Butler

43-

[R-84-05-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – PRESNELL ASSOCIATES, INC. D/B/A QK4 - \\$50,000.00](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Robert Henderson

44-

[O-72-05-09 AN ORDINANCE AMENDING ORDINANCE NO. 111, SERIES 2008 AND ORDINANCE NO. 112, SERIES 2008 RELATING TO THE FISCAL YEAR 2008-09 CAPITAL AND OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \\$13,000 FROM THE DISTRICT 6 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUND.](#)

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: George Unseld

45-

[O-75-05-09 AN ORDINANCE AMENDING ORDINANCE NO. 112, SERIES 2008, RELATING TO THE FISCAL YEAR 2008-09 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING FUNDS FROM THE NEIGHBORHOOD DEVELOPMENT FUND \(DISTRICT 4\) TO THE METRO COUNCIL GENERAL OPERATIONS \(DISTRICT 4\).](#)

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: David Tandy

46-

[O-70-05-09 AN ORDINANCE AMENDING ORDINANCE NO. 112 SERIES 2006, RELATING TO THE CAPITAL BUDGET FOR FISCAL YEAR 2006-07, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY TRANSFERRING \\$22,701.90 OF CAPITAL CUMULATIVE RESERVE FUNDS BETWEEN CAPITAL PROJECTS IN DISTRICT 26.](#)

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: Brent Ackerson

47-

[O-76-05-09 AN ORDINANCE AMENDING ORDINANCE NO. 111, SERIES 2008 AND ORDINANCE NO. 112, SERIES 2008 RELATING TO THE FISCAL YEAR 2008-09 CAPITAL AND OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \\$10,000 FROM THE DISTRICT 13 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 13 NEIGHBORHOOD DEVELOPMENT FUND.](#)

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: Vicki Aubrey Welch

48-

[R-74-05-09 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO A SUPPLEMENTAL AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING THE PROVISION OF ADDITIONAL FUNDS BY THE COMMONWEALTH FOR ROAD RESURFACING FROM THE RURAL AND MUNICIPAL AID BOND FUND.](#)

Status: On Council Agenda - New Business
Committee: Transportation/Public Works
Primary Sponsor: Robert Henderson

49-

[O-71-05-09 AN ORDINANCE APPROPRIATING \\$6,200 FROM DISTRICT 24 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO THE OKOLONA FIRE PROTECTION DISTRICT FOR SIGNAGE.](#)

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Madonna Flood

50-

[O-73-05-09 AN ORDINANCE APPROPRIATING \\$7,140 FROM THE DISTRICT 7 NEIGHBORHOOD DEVELOPMENT FUND TO THE LOUISVILLE METRO POLICE DEPARTMENT TO FUND OVERTIME EXPENSES FOR OFFICERS TO PATROL RIVER ROAD AND COX PARK.](#)

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Kenneth C. Fleming

51-

[R-78-05-09 A RESOLUTION RECOGNIZING THE AUTHORITY OF THE JEFFERSON COUNTY SHERIFF TO MAKE APPLICATION FOR AND ENTER INTO AGREEMENTS WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY \(KOHS\) FOR PROJECTS TO OBTAIN PROTECTIVE SAFETY VESTS, TASERS, MOBILE DATA COMPUTERS, AND RADIO AND SPECIAL TEAM EQUIPMENT, TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTER THESE PROJECTS AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THESE PROJECTS.](#)

Status: On Council Agenda - New Business
Committee: Public Safety
Primary Sponsor: Madonna Flood

52-

[R-79-05-09 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO AN AMENDMENT TO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING A PROJECT FOR DEVELOPMENT AND IMPLEMENTATION OF AN ONGOING EDUCATION, AWARENESS AND PROMOTIONAL PROGRAM FOR BICYCLISTS AND PEDESTRIANS.](#)

Status: On Council Agenda - New Business
Committee: Transportation/Public Works
Primary Sponsor: Tom Owen

53-

[R-75-05-09 A RESOLUTION DETERMINING THREE \(3\) VACANT PARCELS OF REAL PROPERTY LOCATED AT 1117, 1123, AND 1125 S. 15th STREET, OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT \("METRO GOVERNMENT"\) AS SURPLUS AND NO LONGER](#)

NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING THEIR TRANSFER.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: George Unseld

54-

R-80-05-09 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO THE TELAMON CORPORATION PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 24.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: Marianne Butler

55-

R-81-05-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT REIMBURSEMENT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), IN THE FORM OF EITHER FEDERAL OR STATE FUNDS, RELATED TO THE JANUARY 2009 ICE STORM.

Status: On Council Agenda - New Business
Committee: Public Safety
Primary Sponsor: Jim King

56-

O-78-05-09 AN ORDINANCE CLOSING AN UNNAMED ALLEY BEGINNING 47.10 FEET FROM ITS WESTERN INTERSECTION WITH BUCHANAN STREET, 235.75 FEET NORTH OF THE INTERSECTION OF STORY AVENUE AND BUCHANAN STREET, AND RUNNING 403.51 FEET WEST, AND CLOSING JOHNSON STREET FROM ITS INTERSECTION WITH SAID ALLEY, RUNNING 124.84 FEET NORTHEASTERLY TO THE SOUTHWEST CORNER OF JOHNSON AND WASHINGTON STREETS, CONTAINING 10,489 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 10439).

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

57-

O-79-05-09 AN ORDINANCE CHANGING THE ZONING FROM OR-3 OFFICE-RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 7290 MANSLICK ROAD, CONTAINING A TOTAL OF 0.43 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 11955).

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

58-

O-80-05-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO OR OFFICE-RESIDENTIAL ON PROPERTY LOCATED AT 7327 SOUTHSIDE DRIVE, CONTAINING A TOTAL OF 0.39 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 9891).

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

59-

R-85-05-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – HDR ENGINEERING, INC. - \$50,000.00.

Status: On Council Agenda - New Business
Committee: Contracts and Appointments

Primary Sponsor: Marianne Butler

60-

[R-86-05-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – M2D DESIGN GROUP, PLLC - \\$50,000.00.](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Marianne Butler

61-

[O-81-05-09 AN ORDINANCE APPROPRIATING A TOTAL OF \\$6,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \\$1,500 FROM DISTRICTS 12 AND 13, \\$1,000 FROM DISTRICT 24, AND \\$500 FROM DISTRICTS 2, 3, 4, 9, AND 15, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE JEFFERSON COUNTY PUBLIC EDUCATION FOUNDATION, INC. FOR THE PURCHASE OF LAPTOP COMPUTERS FOR THE WESTPORT AND SOUTH PARK TAPP SCHOOLS.](#)

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Barbara Shanklin
David Tandy
Madonna Flood
Marianne Butler
Mary C. Woolridge
Rick Blackwell
Tina Ward-Pugh
Vicki Aubrey Welch

62-

[O-83-05-09 AN ORDINANCE APPROPRIATING \\$6825 FROM NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \\$1750 EACH FROM DISTRICTS 9 AND 5; \\$1050 FROM DISTRICT 4; \\$525 FROM DISTRICT 3; AND \\$350 EACH FROM DISTRICTS 1, 2, 8, 12, AND 15, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO THE METROPOLITAN HOUSING COALITION TO FUND CONSTITUENT SCHOLARSHIPS FOR THE “RECLAIMING VACANT PROPERTIES” CONFERENCE, JUNE 1 – 3, 2009, AT THE GALT HOUSE HOTEL.](#)

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Barbara Shanklin
Cheri Bryant Hamilton
David Tandy
Judy Green
Marianne Butler
Mary C. Woolridge
Rick Blackwell
Tina Ward-Pugh
Tom Owen

63-

[R-87-05-09 A RESOLUTION OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT \(“METRO”\) AUTHORIZING THE MAYOR TO FORGIVE CERTAIN LOANS TO ROOSEVELT PARTNERS, LTD., AND TO ASSIGN CERTAIN MORTGAGES HELD BY METRO TO NEW DIRECTIONS HOUSING CORPORATION \(“NDHC”\).](#)

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: David Tandy

64-

[O-84-05-09 AN ORDINANCE AMENDING APPENDIX G OF CHAPTER 162 OF THE LOUISVILLE METRO CODE OF ORDINANCES, PERTAINING TO OVERLAY DISTRICTS, TO ADOPT REVISED AND UPDATED GUIDELINES FOR THE BARDSTOWN ROAD/BAXTER AVENUE CORRIDOR OVERLAY DISTRICT.](#)

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

65-

[R-88-05-09 A RESOLUTION AUTHORIZING THE OFFICE OF THE JEFFERSON COUNTY ATTORNEY TO BRING A CONDEMNATION SUIT AGAINST THE OWNER OF CERTAIN PROPERTY IN JEFFERSON COUNTY IN CONNECTION WITH THE COOPER CHAPEL ROAD WIDENING PROJECT \(PARCEL 53\).](#)

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: Madonna Flood

66-

[R-89-05-09 A RESOLUTION AUTHORIZING THE OFFICE OF THE JEFFERSON COUNTY ATTORNEY TO BRING A CONDEMNATION SUIT AGAINST THE OWNER OF CERTAIN PROPERTY IN JEFFERSON COUNTY IN CONNECTION WITH THE COOPER CHAPEL ROAD WIDENING PROJECT \(PARCEL 54\).](#)

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: Madonna Flood

ADJOURNMENT

Without Objection the Council Meeting Adjourned at 1:34 A.M.